

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
NOV 21 2000

CREDIT & DEBIT MANAGEMENT
CENTRAL OMD

OFFICE OF
MANAGING DIRECTOR

Barry Ohlson, Esq.
WWI License Holding, Inc.
Winstar
1615 L Street, NW
Suite 1260
Washington, D.C. 20036

Re: WWI License Holding, Inc.
Fee Control No. 0003158130164001

Dear Mr. Ohlson:

This is in response to your request for refund of the \$1020.00 filing fee submitted by WWI License Holding, Inc. (WWI License Holding) on March 14, 2000 in connection with the notification of a consummation of a *pro forma* transfer of control involving wireless telecommunications carriers. You state that WWI License Holding inadvertently paid the filing fee and that a fee is not required by the Commission for such *pro forma* notifications.

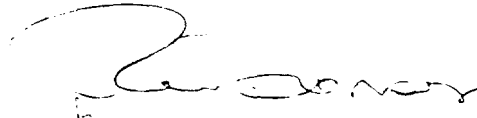
On February 4, 1998, the Commission adopted a *Memorandum Opinion and Order* granting forbearance from the *pro forma* transfer and assignment procedures of section 10 of the Communications Act, as amended, 47 U.S.C. 160, for wireless telecommunications services. *Federal Communications Bar Association's Petition for Forbearance from Section 310(d) of the Communications Act Regarding Non-Substantial Assignments of Licenses and Transfers of Control Involving Telecommunications Carriers*, 13 FCC Rcd 6293 (1998) (*Forbearance Order*). As a result, the Commission no longer requires wireless telecommunications carriers to seek Commission prior approval before a *pro forma* transfer of control or assignment of license, or to file a separate form and filing fee for each license that would be affected. Instead, licensees must notify the Commission within 30 days of consummation of the *pro forma* transaction and update Commission records at that time.

WWI License Holding's *pro forma* notification involves wireless telecommunications carriers and was filed under the Commission's forbearance procedures, and therefore is not subject to application filing fees under the *Forbearance Order*. Because no application fee is required, refund of the application fees is warranted. See *2000 Fee Filing Guidelines* (available at <http://www.fcc.gov/fees/appfees.html>).

Accordingly, your request is granted and the amount paid in error will be refunded. A check, made payable to the maker of the original check, and drawn in the amount of \$1020.00, will be sent to you at the earliest practicable time.

If you have any questions concerning the refund, please call the Revenue & Receivable Operation Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Reger", with a stylized flourish at the end.

Mark A. Reger
Chief Financial Officer



DUPLICATE

March 22, 2000

Mr. Andrew S. Fishel
Managing Director
Federal Communications Commission
The Portals, Room 1C144
445 Twelfth Street, S.W.
Washington, DC 20036

1615 L Street, NW
Suite 1260
Washington, DC 20036
202-833-6678

RECEIVED
MAR 22 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: WWI License Holding, Inc.; Request for Refund of Filing Fees

Mr. Fishel:

Pursuant to Section 1.1113(a)(1) of the Commission's Rules, WWI License Holding, Inc. ("Winstar") requests a refund of the filing fees it submitted on March 14, 2000 in connection with the notification of a consummation of a *pro forma* transfer of control.¹ In submitting the FCC Form 603, Winstar included a check for \$1020.00, based on the fee for an assignment (copies of the FCC Form 603, FCC Form 159 and check are enclosed). However, it since has come to Winstar's attention that no fee is due for *pro forma* notifications. As the Commission indicated in a Public Notice concerning these types of filings:

Licenses in ULS Geographic Services who are filing notifications of pro forma assignments or transfers pursuant to the Commission's forbearance procedures may continue to use the letter notification procedures described in that order. In addition, starting September 23, 1998, licensees may provide such notification by filing Form 603 or Form 604, as appropriate, within 30 days of consummation of the pro forma assignment or transfer. **Whether notification is by form or by letter, no fee will be required for submission of such notification.**²

Section 1.1113(a)(1) of the Commission's Rules indicates that fees will be refunded or returned if no fee is required for the filing. Because that is precisely the situation here, Winstar respectfully requests that the Commission refund the filing fees it submitted on March 14th, 2000.

Please contact the undersigned counsel at 202-367-7600 if you have any questions with regard to this matter.

Sincerely,

Barry Ohlson
Counsel for WWI License Holding, Inc.

Enclosures

¹ Checks were submitted to the FCC in the name of Winstar Regulatory Affairs. WWI License Holding, Inc. and Winstar Regulatory Affairs are both wholly owned subsidiaries of Winstar Communications, Inc.

² *Public Notice*, 13 FCC Rcd 18687 (1998)(emphasis added, footnote omitted). *See also*, *Public Notice*, 13 FCC Rcd 17368 (1998)(same); *Public Notice*, 14 FCC Rcd 1744 (1998)(same).

Payment Transactions Detail Report

Date: 04/14/2000

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date							
0003158130164001	WINSTAR REGULATORY AFFAIRS 1615 L STREET NW SUITE 1260 WASHINGTON DC 20036	GP00065947	0133585278	3/14/2000 00:00:0							
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$1,020.00	\$1,020.00	1	CCPM	1	WMW517	WINSTAR WIRELESS FIBER CORP	20036		\$75.00	1	PMT
\$1,020.00	\$1,020.00	2	CAPM	1	WMW518	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	3	CAPM	1	WMW519	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	4	CAPM	1	WMW520	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	5	CAPM	1	WMW521	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	6	CAPM	1	WMW522	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	7	CAPM	1	WMW860	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	8	CAPM	1	WMW861	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	9	CAPM	1	WMW862	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	10	CAPM	1	WMW863	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	11	CAPM	1	WMW864	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	12	CAPM	1	WPJC352	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	13	CAPM	1	WPJC391	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	14	CAPM	1	WPND497	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	15	CAPM	1	WPNE229	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	16	CAPM	1	WPNE398	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	17	CAPM	1	WPNE399	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	18	CAPM	1	WPNE400	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	19	CAPM	1	WPNE401	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	20	CAPM	1	WPNI218	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	21	CAPM	1	WPNI252	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$1,020.00	\$1,020.00	22	CAPM	1	WPNI271	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
Total	22										\$1,020.00

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CREDIT & DEBIT MANAGEMENT
GENERAL OMD

OFFICE OF
MANAGING DIRECTOR

Barry Ohlson, Esq.
WWI License Holding, Inc.
Winstar
1615 L Street, NW
Suite 1260
Washington, D.C. 20036

Re: Winstar Wireless Fiber Corp.
Fee Control No. 0003158130181005

Dear Mr. Ohlson:

This is in response to your request for refund of the \$390.00 filing fee submitted by Winstar Wireless Fiber Corp. (Winstar Wireless Fiber) on March 14, 2000 in connection with the notification of a consummation of a *pro forma* transfer of control involving wireless telecommunications carriers. You state that Winstar Wireless Fiber inadvertently paid the filing fee and that a fee is not required by the Commission for such *pro forma* notifications.

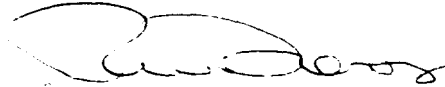
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Winstar Wireless Fiber's *pro forma* notification involves wireless telecommunications carriers and was filed under the Commission's forbearance procedures, and therefore is not subject to application filing fees under the *Forbearance Order*. Because no application fee is required, refund of the application fees is warranted. See *2000 Fee Filing Guidelines* (available at <http://www.fcc.gov/fees/appfees.html>).

Accordingly, your request is granted and the amount paid in error will be refunded. A check, made payable to the maker of the original check, and drawn in the amount of \$390.00, will be sent to you at the earliest practicable time.

If you have any questions concerning the refund, please call the Revenue & Receivable Operation Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Reger", with a stylized flourish at the end.

Mark A. Reger
Chief Financial Officer



DUPLICATE

March 22, 2000

RECEIVED

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

1615 L Street, NW
Suite 1260
Washington, DC 20036
202-833-6678

Mr. Andrew S. Fishel
Managing Director
Federal Communications Commission
The Portals, Room 1C144
445 Twelfth Street, S.W.
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Re: Winstar Wireless Fiber Corp; Request for Refund of Filing Fees

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Sincerely,

Barry Ohlson
Counsel for Winstar Wireless Fiber Corp.

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Payment Transactions Detail Report

Date: 04/14/2000

BY: FEE CONTROL NUMBER

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0003158130181005	WINSTAR REGULATORY AFFAIRS 1615 L STREET NW SUITE 1260	GP00065947	0133585278	3/14/2000 00:00:0							
					WASHINGTON	DC	20036				
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$390.00	\$390.00	1	CCPM	1	WPJA784	WINSTAR WIRELESS FIBER CORP	20036		\$75.00	1	PMT
\$390.00	\$390.00	2	CAPM	1	WPJA785	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$390.00	\$390.00	3	CAPM	1	WPJA786	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$390.00	\$390.00	4	CAPM	1	WPNA663	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$390.00	\$390.00	5	CAPM	1	WPND516	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$390.00	\$390.00	6	CAPM	1	WPND517	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$390.00	\$390.00	7	CAPM	1	WPND518	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
\$390.00	\$390.00	8	CAPM	1	WPND837	WINSTAR WIRELESS FIBER CORP	20036		\$45.00	1	PMT
Total	8								\$390.00		